UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

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| UNITED STATES OF AMERICA, | ) | Mag. Judge Case Number: '08 MJ 0461 |
| Plaintiff, | ) | COMPLAINT FOR VIOLATION OF |
| v. | ) | Title 21, U.S.C., Sections 952 and 960<br>Importation of a Controlled Substance |
| Elena Carolina GARCIA-Romero | ) | |
| Defendant. | ) | |

The undersigned complainant being duly sworn states:

On or about February 16, 2008, within the Southern District of California, Elena Carolina GARCIA-Romero, did knowingly and intentionally import approximately 8.2 Kilograms of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
SENIOR SPECIAL AGENT Jason Shaver
U.S. Immigration and Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS ~~17~~ 19 TH DAY OF February 2008.

MAGISTRATE JUDGE

# PROBABLE CAUSE STATEMENT

I, Senior Special Agent Jason Shaver, declare under penalty of perjury, the following is true and correct:

On February 16, 2008, at approximately 0810 hours, Elena Carolina GARCIA-Romero drove a 1987 gold Nissan Maxima bearing BAMX/BEJ2800 into the United States via the San Ysidro, CA, Port of Entry from the Republic of Mexico. U.S. Customs and Border Protection (CBP) Canine Enforcement Officer (CEO) Sigifredo Delgado was conducting pre-primary inspections with his Narcotics Detecting Dog (NDD) United, when NDD United alerted to the presence of narcotics in the GARCIA's vehicle.

CBP Officer Carraway approached GARCIA, and asked GARCIA for identification. GARCIA presented her Border Crossing Card and stated she was a Mexican citizen. CBP Officer Carraway obtained two negative Customs declarations from GARCIA. GARCIA stated she owned the vehicle for two years. CBP Officer Carraway conducted an inspection of the vehicle, and noticed oddities concerning the screws covering the sending unit underneath the rear seat. GARCIA was escorted to the security office, and the vehicle was moved to the secondary inspection area for further examination.

At the secondary inspection area, CBP Officer Matthew Wallis conducted an inspection of the vehicle. The gas tank was removed, and a total of five (5) packages weighing 8.2 kilograms, were removed from the gas tank. These packages contained a substance that field tested positive for methamphetamine.

At approximately 1403 hours, U.S. Immigration and Customs Enforcement (ICE) Senior Special Agent (SS/A) Jason Shaver read GARICA her rights from a pre-printed Miranda Rights Form in the Spanish language, as witnessed by SS/A Scott Azzarello. GARCIA stated that she understood her rights and that she was willing to answer questions. In substance, GARCIA stated that she knew narcotics were concealed in the vehicle, and that she would receive $1,000.00 for driving the vehicle to the Outlet Mall parking lot in San Ysidro, CA. The interview was terminated at 1450 hours.

GARCIA was arrested, administratively processed, and transported to the Metropolitan Correctional Center, San Diego, CA.

Executed on February 17, 2008 (date) at 1400 hours (time)

Senior Special Agent Jason Shaver

U.S. Immigration and Customs Enforcement

U.S. Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on February 16, 2008 in violation of Title 21, United States Code, Section(s) 952 & 960.

United States Magistrate Judge

2/17/08, 1602 hrs
Date/Time